

**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R.T. Moon et al. Attorney Docket No.: UWOTL121818
Application No.: 10/679,191 Art Unit: 1636 / Confirmation No: 1034
Filed: October 3, 2003 Examiner: D.M. Sullivan
Title: TRANSGENIC FISH AND BETA-CATENIN SIGNALING PATHWAY MODEL

APPLICANTS' STATEMENT OF SUBSTANCE OF INTERVIEW

Seattle, Washington 98101

October 11, 2007

TO THE COMMISSIONER FOR PATENTS:

The Examiner and the applicants' undersigned representative held a telephone interview on October 10, 2007, seeking clarification of the Examiner's reasons set forth in the Advisory Action mailed on September 18, 2007, for not entering amendments set forth in the amendment and response filed on September 6, 2007.

The Examiner reiterated his position that the amendments set forth in the response would raise new issues which would require a new search or further consideration, and would not place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

The applicants' representative noted that Claim 9 was not specifically addressed in the Advisory Action. The proposed amendment to Claim 9 would make it very similar to amended Claim 11, if entered. Claim 9 would recite a zebrafish cell and Claim 11 would recite a transgenic zebrafish, both comprising a DNA segment consisting of nucleotides 3005-4336 of SEQ ID NO:1 contiguous to nucleotides 1-243 of SEQ ID NO:1.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

The Examiner stated that Claim 9 was previously rejected under 35 U.S.C. § 103(a) in the Office Action dated October 11, 2006. At the time, Claim 9 was directed to a host cell transformed with a reporter nucleic acid, and not to a zebrafish cell. The Examiner reiterated his position that despite the new limitation, evaluating Claim 9 would require a new search and further consideration. The applicants' representative agreed to cancel Claim 9 and reserve the right to present it later in a separate application.

CONCLUSIONS

The Examiner is further requested to contact the applicants' representative at the number set forth below to discuss any issues that may facilitate prosecution of the application.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Verne A. Luckow, Ph.D.
Registration No. 45,950
Direct Dial No. 206.695.1645

VAL:jh

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100